IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 20436 of 2004

Between:

C. Chitti Babu @ Yuvaraj, S/o. Sri C. Ranganatham,
R/o. H.No. 21-1-52, Yadava Street, Thirupathi, Chittoor District A.P.

..... PETITIONER

AND

1 The Superintendent of Police, Chittoor District. A.P.
2 The Central Crime Station, Thirupathi, AP.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order or direction particularly one in the nature of WRIT OF MANDAMUS directing the respondents herein not to harass, not to interfere, and not to threaten and not to keep either petitioner or his family in the illegal custody and not to prosecute in the illegal cases.

Counsel for the Petitioner: MR.MACHERLA MOHAN RAO

Counsel for the Respondents: GP FOR HOME

The Court, at the admission stage, made the following:

ORDER:

The petitioner seeks a writ of Mandamus directing the respondents not to harass, not to interfere, and not to threaten and not to keep either the petitioner or his family members in illegal custody and not to prosecute in illegal cases.

On behalf of the respondents the Sub Inspector of Police, Central Crime Station, Tirupathi, filed a counter affidavit stating that though it is a fact that a crime was registered against the petitioner under Section 379 of the Indian Penal Code for involvement of theft of Hero Honda Motor Cycle and the trial was conducted by the II Additional Munsif Magistrate, Tirupathi in C.C.No.401 of 1998, which ended in acquittal by judgment dated 21.02.2000, the allegation of the petitioner that the second respondent has been interfering and harassing the old aged parents and other family members of the petitioner and summoning them to the Police Station is incorrect. It is further stated that the second respondent never called the petitioner and his family members to the Police Station.

In view of the unrebutted averments in the counter affidavit denying all the allegations made by the petitioner, no further adjudication is necessary. Accordingly recording the statement of the respondents in the counter affidavit, the writ petition is disposed of. No costs.

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17.11.2004

VGB

To

1 The Superintendent of Police, Chittoor District. A.P.
2 The Central Crime Station, Thirupathi, AP.

3 2CCs to the Government Pleader for Home, High Court Buildings,

Hyderabad (OUT)

4 2CD copies